II. Remarks

Claims 108 – 127 and 129 - 138 are pending in the application. Reconsideration and reexamination of these claims is respectfully requested.

Drawing Objections and Rejections Under 35 U.S.C. § 112

In the office Action, the drawings were objected to under 37 C.F.R. 1.83(a) as not showing every feature in the claims. Specifically, the examiner refers to the clutch engagement decrease associated with a second predetermined speed difference (prior claims 108, 109, 110, 120, 132, 136). Prior claims 108 through 138 were also rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, the examiner has indicated that the specification fails to teach use of a second predetermined value. It is respectfully submitted that, in view of the present claim amendments, this rejection is no longer warranted and should be withdrawn.

In operating a vehicle, the operating conditions of the vehicle are continuously changing. Basically, at no point in time do the operating conditions remain static. Changes in the speed of the vehicle, identity of the overrunning shaft, steering angle, braking, and throttle are constantly being made as a result of the ever changing driving conditions (road inclination/declination/curvature, traffic patterns and signals, weather, etc.) The present method itself is one which must constantly cycle to accommodate these changing operating conditions. Thus, in performing the claimed method, a value is determined at predetermined time intervals and this value will change since it is

based on the then existing operation conditions of the vehicle. Thus, the value is not static and cannot be so in view of the fundamental aspects of operating a vehicle. See specification, p. 4 ll. 12, 13, p. 5 ll.1-5, p.6 ll. 4-7, p. 33 ll. 23-27. The claims have been amended to reflect this cyclic operation of the present method.

As noted above, the invention therefore must operate by repeatedly cycling through the method and its various loops and subroutines, which are depicted in Figs. 9b through 20. It is submitted that by cycling through the method, a predetermined value is determined and ramping up of engagement of the EMC performed, while on a subsequent pass (where operating conditions of the vehicle inherently had to have changed) another predetermined value is determined and ramping down of engagement of the EMC is performed. In particular, attention is directed to Figs. 10, 11a and 11b.

It is in these latter figures that the ramping up and ramping down of the engagement of the electromagnetic clutch (EMC) is shown. For each cycle through the subroutine of Fig. 11b, the maximum allowable wheel speed delta (a predetermined value based on the then existing operating conditions) is looked up (step 254). Thereafter, depending if throttle angle compensation or steering angle compensation is enabled, the determination to raise or lower the current level to the EMC is made. Returning to back to the subroutine of Fig. 11a, the EMC flag is ramped up or down, accordingly, at either step 244 or 278. On the next cycle of the method, it will be appreciated that the operating conditions of the vehicle will have changed. Thus, one or all of the previously mentioned factors (speed of the vehicle, identity of the overrunning shaft, steering angle and braking) will have changed. Under the then existing conditions, in step 254 the value of the maximum allowable wheel speed delta is again

determined, resulting in another predetermined value, and may warrant a ramping down of the current to the EMC.

Since the method of the present invention is discussed as being cyclic, the various loops, subroutines and steps of the method are repeated during operation of the vehicle. Further, since the operating conditions of the vehicle will inherently change from one cycle to the next, a subsequent iteration through the method will produce a another predetermined value based on the then existing operating conditions. If conditions so demand, the ramping down of the engagement of the ECM will occur and be based on this next predetermined value.

In view of the above comments, it is submitted that the claimed invention was shown and described the application as filed. Accordingly, the objection to the drawing and the rejection under §112 should be withdrawn.

Conclusion

In view of the above remarks, Applicants respectfully submit that the objections and rejections should be withdrawn. Since no rejection of the claims has been made on prior art grounds, it is also submitted that the claims are now in allowable form, and allowance of the claims is therefore requested. If the examiner believes a telephone conversation would expedite this application, the examiner is invited to contact the undersigned attorney at 734-302-6038.

Respectfully submitted,

10/16/07
Date

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